

EXHIBIT 2

2:05-cr-121-DAE-RJJ - July 6, 2009

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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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THE HON. DAVID A. EZRA, U.S. DISTRICT JUDGE,

4

PRESIDING

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UNITED STATES OF AMERICA,

7

Plaintiff,

8

vs.

9

ROBERT DAVID KAHRE, et al.

10

Defendants.

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REPORTER'S PARTIAL TRANSCRIPT OF JURY TRIAL

16

(TESTIMONY OF HEIDI MOLESWORTH)

17

JULY 6, 2009

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APPEARANCES: (See page 2)

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Court Reporter: Gayle Pichierri, RPR, CRR

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1 LAS VEGAS, NEVADA; JULY 6, 2009; 1:49 P.M.

2 --oOo--

3 P R O C E E D I N G S

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5 MR. DAMM: Yes, Your Honor. We would
6 call Ms. Heidi Rasmussen Molesworth.

7 THE COURT: All right.

8 THE CLERK: Raise your right hand,
9 please.

10 Do you solemnly swear the testimony
11 you are about to give before this Court shall
12 be the truth, the whole truth and nothing but
13 the truth, so help you God?

14 THE WITNESS: Yes, I do.

15 THE CLERK: Okay. Please have a
16 seat. State your name for the record and
17 spell your first and last name.

18 THE WITNESS: Heidi Molesworth.
19 H-E-I-D-I, M-O-L-E-S-W-O-R-T-H.

20

21 HEIDI MOLESWORTH,
22 called as a witness on behalf of the plaintiff,
23 having been duly sworn, was examined and
24 testified as follows:

25 THE COURT: Are we still having

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1 trouble with that mic? Okay. Why don't you
2 bring over one of those portable mics?

3 THE WITNESS: My name is Heidi.

4 THE COURT: Can you hear that?

5 JUROR: Yes.

6 Spell the last name, please.

7 THE WITNESS: M-O-L-E-S-W-O-R-T-H.

8 THE COURT: I don't want anybody to
9 say we don't have juror questioning in this
10 trial.

11 You may proceed.

12 MR. DAMM: Thank you, Your Honor.

13

14 DIRECT EXAMINATION

15 BY MR. DAMM:

16 Q. Good afternoon, Ms. Molesworth.

17 A. Hello.

18 Q. How are you?

19 A. Fine, thank you. And yourself?

20 Q. I'm very good. Thank you for asking.

21 Did you previously use the name

22 "Rasmussen"?

23 A. Yes, I did.

24 Q. And was that your former husband's
25 last name?

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1 A. Yes, it is.

2 Q. And you are no longer married to
3 Mr. Rasmussen?

4 A. No, I'm not.

5 Q. Ms. Molesworth --

6 THE COURT: I think we should make it
7 clear that this is not the Mr. Rasmussen who
8 was previously here and testified.

9 MR. DAMM: Yes, that's correct.

10 Q. What was your husband's first name?

11 A. Kirk.

12 Q. Was he related to Kelly Rasmussen?

13 A. Yes.

14 Q. How were they related?

15 A. Brothers.

16 Q. Do you currently live in Las Vegas,
17 Nevada?

18 A. No, I don't.

19 Q. Did you previously live here in Las
20 Vegas, Nevada?

21 A. Yes, I did.

22 Q. For what period of time?

23 A. From 1990 to 2005.

24 Q. During the time that you lived here
25 in Las Vegas, did you at one point in time

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1 work for Mr. Robert Kahre?

2 A. Yes, I did.

3 Q. And do you recall the time frame that
4 you worked for Mr. Kahre?

5 A. '97 to 2005.

6 Q. And how was it that you came to work
7 for Mr. Kahre?

8 A. Lori Kahre called me one afternoon
9 and asked me if I was interested in working
10 there.

11 Q. And how is it that you knew Lori
12 Kahre?

13 A. She was Kelly's husband -- wife.

14 Q. That's Kelly Rasmussen?

15 A. Yes.

16 THE COURT: That's your former
17 brother-in-law we are talking about.

18 THE WITNESS: Yes, sir.

19 MR. DAMM:

20 Q. And did you know, from your
21 association with Ms. Lori Kahre, what it was
22 that her brother did?

23 A. Yes, I did.

24 Q. And what type of work was that?

25 A. Construction.

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1 companies?

2 A. Yes.

3 Q. And did Lori Kahre indicate to you
4 what amount of money Mr. Kahre was making from
5 his own companies?

6 A. Yeah.

7 Q. And what did she indicate to you?

8 A. How much it was?

9 Q. Yes.

10 A. You're asking me how much it was?

11 Q. I'm asking you what she would have
12 told you.

13 A. It was his salary for those
14 companies.

15 Q. And did she give you a figure?

16 A. Yes.

17 Q. And what was that?

18 A. It varied from company to company.

19 Q. What --

20 A. I don't remember because there were
21 different figures for each company. Right off
22 the top of my head, I don't remember.

23 Q. Now, in addition, did Mr. Kahre
24 receive income from another source?

25 A. Yes.

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1 Q. And what was that?

2 A. The fees he charged to do the payroll
3 companies.

4 Q. And can you tell me about that
5 portion of his business?

6 A. He did payroll for other construction
7 companies.

8 Q. And how did that work?

9 A. The same way it worked for his own
10 companies.

11 Q. Were workers all required to sign a
12 contract?

13 A. As far as I know.

14 Q. And how would -- can you walk me
15 through that process and tell me how that
16 process worked with the other contractors?

17 A. You mean how he got the information?

18 Q. Yes.

19 A. Early on in the week they would fax
20 over an amount, and Lori would put together an
21 invoice and send it back over to them along
22 with a fee that was -- the fee that Mr. Kahre
23 charged for doing the payroll. And then on
24 whatever day they would be paid, it would go
25 the same way as the other -- as his companies

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1 did.

2 The envelopes would be pre made. The
3 list of people and amounts were listed. So
4 when we stuffed the cash in the envelopes, we
5 knew. And then the whole process, it was all
6 the same. It didn't vary because they were --
7 you know, Bobby didn't own the companies.

8 Q. So the process was for the same --
9 the payment process was the same for the other
10 contractors as it was for the workers for
11 Mr. Kahre's company?

12 A. Yes.

13 Q. Did Lori Kahre tell you how much
14 money Mr. Robert Kahre was making from that
15 portion of the business on a monthly basis?

16 A. No.

17 MR. KENNEDY: Objection on asked and
18 answered, Your Honor.

19 THE COURT: She said she didn't know
20 anyway.

21 MR. DAMM:

22 Q. Do you recall at one point in time --

23 THE COURT: All right. We need to
24 take a short recess. One of the jurors needs
25 to use the rest room.

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1 in a plastic zip -- plastic like Ziploc bag.

2 Q. And what would you do with the money
3 once it got to the payroll office?

4 A. I would open it up and verify it
5 against what was ordered from the bank to make
6 sure it was all there.

7 Q. So in this particular instance, would
8 you count the money to determine whether or
9 not there was \$161,447 in the bag from the
10 bank?

11 A. Yes.

12 Q. Then what would happen with the
13 money?

14 A. I would separate it out by company.
15 Sometimes there was a couple of different
16 companies paid under Union Pacific. Separate
17 it out that way.

18 And then I would count each company
19 separately and stuff it in the envelope --
20 stuff the cash in the envelopes.

21 Q. And how would you know how much money
22 to put in each envelope?

23 A. There is a list of names and amounts
24 with the envelopes that we had.

25 Q. And so you would fill the envelopes

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1 with the amount of money listed on the list
2 associated with those envelopes?

3 A. Yes.

4 MR. DAMM: Now, if we can take a
5 look, Ms. King, at 6.55.1.

6 MS. KING: I'm sorry, Mr. Damm. 55?

7 MR. DAMM: Yes, 6.55.1.

8 Q. Now, Ms. Molesworth, can you tell me
9 what this exhibit represents?

10 A. A cash order sheet for the bank.

11 Q. And for what company is this
12 associated with?

13 A. Customer name says T and F Marble.

14 Q. And was T and F Marble one of
15 Mr. Kahre's companies?

16 A. No.

17 Q. And what was Mr. Kahre's association
18 with T and F Marble?

19 A. We did their payroll.

20 Q. And was the payroll handled in the
21 same fashion that you have just discussed?

22 A. Yes.

23 MR. DAMM: Ms. King, if we could take
24 a look at 6.56.3.

25 Q. And, Ms. Molesworth, can you tell us

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1 what this document represents?

2 A. How much cash divided up for each
3 company is listed here.

4 Q. And are these Mr. Kahre's companies?

5 A. I don't believe so. I believe the
6 payroll company's.

7 Q. Would these be other contractors?

8 A. You mean the companies that
9 contracted Bobby to do their payroll?

10 Q. Yes.

11 A. Yes.

12 Q. And at the top one is Bricker and the
13 other one is Bravo?

14 A. Yes.

15 Q. And down at the middle of the page,
16 if we can take a look at the other names, do
17 you recognize those names, Ms. Molesworth?

18 A. Yes, I do.

19 Q. And are these again other contractors
20 for which Mr. Kahre was handling the payroll?

21 A. Yes.

22 Q. And are all of these cash order
23 sheets through 6.64? Are they all cash order
24 sheets?

25 A. Yes, they are.